



General Assembly

February Session, 2010

Raised Bill No. 5409

LCO No. 1847

01847_____BA_

Referred to Committee on Banks

Introduced by:
(BA)

AN ACT CONCERNING DEBT SETTLEMENT SERVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 36a-671 of the 2010 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective October 1, 2010*):

4 (a) As used in this section and sections 36a-671a to 36a-671d,
5 inclusive, (1) "debt negotiation" means, for or with the expectation of a
6 fee, commission or other valuable consideration, assisting a debtor in
7 negotiating or attempting to negotiate on behalf of a debtor the terms
8 of a debtor's obligations with one or more mortgagees or secured
9 creditors of the debtor, including the negotiation of short sales of
10 residential property or foreclosure rescue services; (2) "debtor" means
11 any individual who has incurred indebtedness or owes a debt for
12 personal, family or household purposes; (3) "mortgagee" means the
13 original lender under a mortgage loan secured by residential property
14 or its agents, successors or assigns; (4) "mortgagor" means a debtor
15 who is an owner of residential property, including, but not limited to,
16 a single-family unit in a common interest community, who is also the

17 borrower under a mortgage encumbering such residential property; (5)
18 "short sale" means the sale of residential property by a mortgagor for
19 an amount less than the outstanding balance owed on the loan secured
20 by such property where, prior to the sale, the mortgagee or an assignee
21 of the mortgagee agrees to accept less than the outstanding loan
22 balance in full or partial satisfaction of the mortgage debt and the
23 proceeds of the sale are paid to the mortgagee or an assignee of the
24 mortgagee; (6) "foreclosure rescue services" means services related to
25 or promising assistance in connection with (A) avoiding or delaying
26 actual or anticipated foreclosure proceedings concerning residential
27 property, or (B) curing or otherwise addressing a default or failure to
28 timely pay with respect to a mortgage loan secured by residential
29 property, and includes, but is not limited to, the offer, arrangement or
30 placement of a mortgage loan secured by residential property or other
31 extension of credit when those services are advertised, offered or
32 promoted in the context of foreclosure related services; and (7)
33 "residential property" means one-to-four family owner-occupied real
34 property.

35 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) For purposes of sections 2
36 to 11, inclusive, of this act: (1) "Debt settlement providers" means any
37 individual or entity that offers or agrees to provide debt settlement
38 services to any individual for or with the expectation of a fee,
39 commission or other valuable consideration; and (2) "debt settlement
40 services" means negotiating or attempting to negotiate down
41 unsecured consumer debt resulting in payment of less than the
42 amount owed being accepted as full payment or full satisfaction of
43 such debt.

44 (b) No person shall engage in debt settlement services as a debt
45 settlement provider in this state without a debt settlement services
46 license. Any person desiring to obtain such a license shall file with the
47 Banking Commissioner an application signed under oath and setting
48 forth such information as the commissioner may require. Each
49 applicant for such license and each licensee shall notify the

50 commissioner of any change in the applicant's business from that
51 stated in the application for the license.

52 (c) An application for a debt settlement services license or renewal
53 of such license shall be in writing on a form provided by the
54 commissioner and include the following: (1) The history of criminal
55 convictions of the applicant for the ten-year period prior to the date of
56 the application; (2) the applicant's partners, if the applicant is a
57 partnership; (3) the applicant's members, if the applicant is a limited
58 liability company or an association; (4) the applicant's officers,
59 directors and owners, if the applicant is a corporation; and (5)
60 sufficient information pertaining to the history of any criminal
61 convictions of such partners, directors, members, officers, directors
62 and owners for the ten-year period prior to the date of the application,
63 as the commissioner deems necessary to make findings pursuant to
64 subsection (d) of this section.

65 (d) If the commissioner finds, upon the filing of an application for a
66 debt settlement services license, that (1) the financial responsibility,
67 character, reputation, integrity and general fitness of the applicant and
68 of the applicant's partners, if the applicant is a partnership, members, if
69 the applicant is a limited liability company or association, and officers,
70 directors and owners, if the applicant is a corporation, are such as to
71 warrant a belief by the commissioner that the debt settlement services
72 business will be operated soundly and efficiently, in the public interest
73 and consistent with the purposes of sections 2 to 11, inclusive, of this
74 act, and (2) the applicant is solvent and no proceeding in bankruptcy,
75 receivership or assignment for the benefit of creditors is pending
76 against the applicant, the commissioner may issue the applicant a debt
77 settlement services license. If the commissioner fails to make such
78 findings, or finds that the applicant or any partner, member, officer,
79 director or owner of the applicant has been convicted within the past
80 ten years of any misdemeanor involving any aspect of the debt
81 settlement business or of any felony, the commissioner shall not issue a
82 license and shall notify the applicant of the reasons for denying the

83 application for a license. Any denial of an application for a license by
84 the commissioner shall, when applicable, be subject to the provisions
85 of section 46a-80 of the general statutes.

86 (e) An applicant may withdraw an application for a license. Such
87 withdrawal shall be effective upon receipt by the commissioner of a
88 notice of intent to withdraw such application. The commissioner may
89 issue a denial of an application for a license that has been withdrawn
90 not later than one year after the effective date of the withdrawal.

91 (f) Each applicant for a debt settlement services license shall, at the
92 time of filing such application with the commissioner, pay to the
93 commissioner an application fee of one thousand six hundred dollars.
94 Each such license shall expire at the close of business September
95 thirtieth of the odd-numbered year following its issuance unless such
96 license is renewed. Each licensee shall, not later than September first of
97 the year in which the license expires, file such application for renewal
98 as the commissioner may require.

99 (g) If the commissioner determines that a check tendered by an
100 applicant to pay an application fee has been dishonored, the
101 commissioner shall automatically suspend the license or a renewal
102 license that has been issued but is not yet effective. The commissioner
103 shall give the licensee notice of the automatic suspension pending a
104 proceeding for revocation or refusal to renew such license and an
105 opportunity for a hearing on such actions in accordance with section
106 36a-51 of the general statutes.

107 (h) No abatement of the license fee shall be made if the license is
108 surrendered, revoked or suspended prior to the expiration of the
109 period for which it was issued. The fee required by subsection (e) of
110 this section shall be nonrefundable.

111 Sec. 3. (NEW) (*Effective October 1, 2010*) (a) The commissioner may
112 suspend, revoke or refuse to renew any debt settlement services license
113 or take any other action, in accordance with the provisions of section

114 36a-51 of the general statutes, for any reason the commissioner deems
115 a sufficient ground on which to deny an application for a license
116 pursuant to sections 2 to 11, inclusive, of this act, or, if the
117 commissioner finds that the licensee or any proprietor, director, officer,
118 member, partner, shareholder, trustee, employee or agent of such
119 licensee has done any of the following: (1) Made any material
120 misstatement in the application; (2) committed any fraud or
121 misappropriated funds; (3) violated any of the provisions of sections 2
122 to 11, inclusive, of this act or any other law or regulation applicable to
123 the conduct of its business; or (4) materially failed to perform any
124 obligations owed pursuant to an agreement with a debtor in this state.

125 (b) The commissioner may take action, in accordance with sections
126 36a-50 and 36a-52 of the general statutes, against (1) any person who
127 has violated, is violating or is about to violate the provisions of
128 sections 2 to 11, inclusive, of this act, or (2) any licensee or any
129 proprietor, director, officer, member, partner, shareholder, trustee,
130 employee or agent of such licensee who has committed any fraud,
131 misappropriated funds or materially failed to perform any obligations
132 owed pursuant to an agreement with a debtor in this state.

133 Sec. 4. (NEW) (*Effective October 1, 2010*) (a) Each debt settlement
134 services license shall state the address at which the licensee's debt
135 settlement services business is to be conducted and the full name of the
136 licensee. If a licensee does not have a physical location in this state, the
137 licensee shall maintain a registered agent in this state and such agent's
138 address shall be stated on the debt settlement services license. Each
139 debt settlement services license shall be maintained at the address
140 stated on such license and available for public inspection.

141 (b) No licensee shall use any name other than the name stated on
142 such licensee's debt settlement services license. Any licensee seeking to
143 change the address of such licensee's debt settlement services business
144 shall provide written notice to the commissioner prior to such change.

145 (c) No license shall be transferable or assignable except that, in

146 connection with the acquisition of a licensee by merger or otherwise,
147 the license shall be transferred to the acquirer upon such terms and
148 following such application as the commissioner prescribes.

149 (d) Not later than fifteen days after a licensee ceases to engage in the
150 business of debt settlement services in this state for any reason,
151 including a business decision to terminate operations in this state,
152 license revocation, bankruptcy or voluntary dissolution, such licensee
153 shall surrender its debt settlement services license to the commissioner
154 in person or by registered mail.

155 Sec. 5. (NEW) (*Effective October 1, 2010*) Each debt settlement
156 services licensee who receives or holds consumer funds for payment to
157 creditors shall maintain, for the benefit of debtors, a separate bank
158 account in which all payments received from debtors who are
159 residents of this state shall be deposited. Every licensee shall keep and
160 use in such licensee's business such books, accounts and records that
161 will enable the commissioner to determine whether such licensee is
162 complying with the provisions of sections 2 to 11, inclusive, of this act
163 and with the regulations adopted pursuant to said sections. Every
164 licensee shall preserve such books, accounts and records for at least
165 seven years after making the final entry on any transaction recorded
166 therein.

167 Sec. 6. (NEW) (*Effective October 1, 2010*) The commissioner may
168 adopt such regulations, in accordance with chapter 54 of the general
169 statutes, as the commissioner deems necessary to administer and
170 enforce the provisions of sections 2 and 3 of this act.

171 Sec. 7. (NEW) (*Effective October 1, 2010*) The provisions of sections 2
172 to 11, inclusive, of this act shall not apply to the following: (1) Any
173 attorney admitted to the practice of law in this state, when engaged in
174 such practice; (2) any bank or agent of any bank, fiduciary, or financing
175 or lending institution that is authorized to transact business in this
176 state or any other state and performs debt settlement services as an
177 incidental part of its principal business; (3) any title insurance or

178 abstract company authorized to transact business in this state or any
179 other state, while doing an escrow business; and (4) any person acting
180 pursuant to any law of this state or the United States or to the order of
181 a court.

182 Sec. 8. (NEW) (*Effective October 1, 2010*) (a) No debt settlement
183 services license or a renewal of such a license shall be granted unless
184 the applicant meets one of the following surety bond, bond substitute
185 or insurance requirements:

186 (1) Each applicant shall file with the commissioner a surety bond
187 written by a surety authorized to write such bonds in this state. For
188 every applicant, the principal amount of the bond shall be in an
189 amount determined by the commissioner but, subject to the provisions
190 of this subdivision, shall not exceed forty thousand dollars, except if
191 the applicant receives or holds consumer funds for payment to
192 creditors, the bond shall be the higher of forty thousand dollars or
193 twice the amount of the highest total amount of payments received by
194 the applicant from debtors in this state in connection with the
195 applicant's debt adjustment activity in any month during the
196 preceding twelve-month period ending July thirty-first of each year.
197 Each licensee shall submit to the commissioner evidence that the bond
198 complies with the provisions of this subdivision by September first of
199 each year;

200 (2) As a substitute for a surety bond, a licensee may file with the
201 commissioner, in the same amount required for a surety bond in
202 subdivision (1) of this subsection, one of the following: (A) An
203 irrevocable letter of credit, issued or confirmed by a bank approved by
204 the commissioner, payable upon presentation of a certificate by the
205 commissioner stating that the provider or its agent has not obtained a
206 surety bond; or (B) bonds or other obligations of the United States or
207 guaranteed by the United States or bonds or other obligations of this
208 state or a political subdivision of this state, to be deposited and
209 maintained with a bank approved by the administrator for this

210 purpose; and

211 (3) In lieu of the surety bond or bond substitute, the applicant may
212 provide evidence of insurance in the amount of two hundred fifty
213 thousand dollars that (A) insures against the risk of dishonesty, fraud,
214 theft and other misconduct on the part of the applicant or licensee or a
215 director, employee or agent of the applicant or licensee, (B) is issued by
216 an insurance company authorized to do business in this state and rated
217 at least an A by a nationally recognized rating organization, (C) has a
218 minimum deductible of ten per cent of the total insurance coverage,
219 (D) is payable to the applicant, to any individuals who have an
220 agreement with the applicant and to this state, and (E) is not subject to
221 cancellation by the applicant without the approval of the
222 commissioner or without a replacement policy that meets the
223 requirements set forth in this subsection.

224 (b) The form of any surety bond filed pursuant to this section shall
225 be approved by the Attorney General. Any surety bond filed pursuant
226 to this section shall be conditioned upon the licensee faithfully
227 performing its obligations under any and all written agreements with
228 debtors and conducting its debt settlement business consistent with the
229 provisions of sections 2 to 11, inclusive, of this act. Any debtor who
230 may be damaged by the failure of the licensee to perform its
231 obligations under any written agreements may proceed on any such
232 surety bond or bond substitute against the principal or surety on such
233 surety bond or bond substitute or file a claim on the insurance policy
234 to recover damages. The commissioner may proceed on any such
235 surety bond or bond substitute against the principal or surety on such
236 surety bond or bond substitute, or both, to collect any civil penalty
237 imposed upon the licensee pursuant to subsection (a) of section 36a-50
238 of the general statutes. The proceeds of any such surety bond, bond
239 substitute or insurance policy, even if commingled with other assets of
240 the licensee, shall be deemed by operation of law to be held in trust for
241 the benefit of such claimants against the licensee in the event of
242 bankruptcy of the licensee and shall be immune from attachment by

243 creditors and judgment creditors.

244 (c) Any surety bond, bond substitute or insurance policy required
245 by this section shall be maintained for as long as the licensee holds a
246 debt settlement services license. The aggregate liability under any such
247 surety bond, bond substitute or insurance policy shall not exceed the
248 principal amount of the surety bond or bond substitute or the limit of
249 liability of the insurance policy.

250 (d) The surety or insurance company shall have the right to cancel
251 any bond, bond substitute or insurance policy written or issued under
252 this section at any time by a written notice to the licensee stating the
253 date cancellation shall take effect. Such notice shall be sent by certified
254 mail to the licensee not later than thirty days prior to the date of
255 cancellation. No such bond, bond substitute or insurance policy shall
256 be cancelled unless the surety or insurance company notifies the
257 commissioner in writing not later than thirty days prior to the date of
258 cancellation. After receipt of such notification from the surety or
259 insurance company, the commissioner shall give written notice to the
260 licensee of the date the cancellation of such bond, bond substitute or
261 insurance policy shall take effect. The commissioner shall
262 automatically suspend the license on such date unless, prior to such
263 date, the licensee submits a letter of reinstatement of the bond, bond
264 substitute or insurance policy from the surety or insurance company or
265 a new bond, bond substitute or insurance policy or the licensee has
266 surrendered the license. After a license has been automatically
267 suspended, the commissioner shall give the licensee notice of the
268 automatic suspension, pending proceedings for revocation or refusal
269 to renew and an opportunity for a hearing on such actions in
270 accordance with section 36a-51 of the general statutes, as amended by
271 this act, and require the licensee to take or refrain from taking such
272 action that, in the opinion of the commissioner, will effectuate the
273 purposes of this section.

274 (e) No licensee shall use, attempt to use or make reference to, either

275 directly or indirectly, any word or phrase that states or implies that the
276 licensee is endorsed, sponsored, recommended, bonded or insured by
277 this state.

278 Sec. 9. (NEW) (*Effective October 1, 2010*) (a) Before providing debt
279 settlement services in this state, a debt settlement services provider
280 shall fully explain its services and fully disclose all fees to be charged
281 for such services and the schedule for collecting such fees.

282 (b) A debt settlement provider shall not furnish debt settlement
283 services to any debtor in this state unless the provider has prepared a
284 financial analysis of such debtor.

285 (c) Before a debtor assents to an agreement to engage in a debt
286 settlement program with a debt settlement provider, such debt
287 settlement provider shall (1) provide the debtor with a copy of the
288 analysis required by subsection (b) of this section in a record that
289 identifies the debt settlement provider and that the debtor may keep
290 whether or not the debtor assents to the agreement, and (2) inform the
291 debtor of the availability, at the debtor's option, of assistance by a toll-
292 free communication system or in person to discuss the financial
293 analysis and fee schedule required pursuant to subsections (a) and (b)
294 of this section.

295 (d) Before a debtor assents to an agreement with a debt settlement
296 services provider, such provider shall inform the debtor of the
297 provider's name and address and that:

298 (1) Debt settlement programs are not suitable for all debtors and
299 that the debtor may ask the provider about other ways to deal with
300 indebtedness;

301 (2) Participation in the debt settlement program may adversely
302 affect the debtor's credit rating or credit score;

303 (3) Nonpayment of debt may lead creditors to increase finance and
304 other charges or undertake collection activity, including litigation;

305 (4) Unless the debtor is insolvent, if a creditor settles for less than
306 the full amount of the debt, the debt settlement program may result in
307 the creation of taxable income to the debtor, even though the debtor
308 does not receive any money;

309 (5) Specific results cannot be predicted or guaranteed and the
310 provider cannot force negotiations or settlements with creditors, but
311 will advocate solely on behalf of the creditor;

312 (6) The debtor is required to set aside money in a savings account
313 according to the debt settlement provider's plan before settlements can
314 be negotiated;

315 (7) The debt settlement services provider does not provide
316 accounting, bankruptcy or legal advice to the debtor unless the
317 provider is professionally licensed to provide such advice;

318 (8) The debt settlement provider is the debtor's advocate and does
319 not receive compensation from creditors, banks or third-party
320 collection agencies; and

321 (9) The debt settlement provider does not make monthly payments
322 to the debtor's creditors.

323 (e) Every agreement between a debt settlement provider and a
324 debtor shall be in writing.

325 (f) A debt settlement provider shall not:

326 (1) Settle a debt on behalf of an individual for more than fifty per
327 cent of the amount of the debt owed a creditor unless the individual
328 assents to the settlement after the creditor has assented;

329 (2) Act under a power of attorney authorizing it to settle a debt,
330 unless the power of attorney expressly limits the provider's authority
331 to settle debts for not more than fifty per cent of the amount of the debt
332 owed a creditor;

333 (3) Exercise or attempt to exercise a power of attorney after an
334 individual has terminated an agreement;

335 (4) If the provider does not receive and hold consumer funds for
336 payment to creditors, initiate a transfer from an individual's account at
337 a bank with another person unless the transfer is: (A) A return of
338 money to the individual, (B) for payment of a fee, provided such
339 payment occurs before termination of an agreement and is properly
340 authorized by the agreement and sections 2 to 11, inclusive, of this act,
341 (C) for payment of a creditor for purposes of funding a negotiated
342 settlement authorized pursuant to subdivisions (1) and (2) of
343 subsection (f) of section 9 of this act, or (D) for payment of a creditor
344 for purposes of funding a negotiated settlement, provided both the
345 transfer of money and settlement have been authorized by the debtor;

346 (5) Settle a debt or lead an individual to believe that a payment to a
347 creditor is in settlement of a debt to the creditor unless, at the time of
348 settlement, the individual receives a certification or confirmation by
349 the creditor that the payment is in full settlement of the debt or is part
350 of a payment plan that is in full settlement of the debt;

351 (6) Make a representation that (A) the provider will furnish money
352 to pay bills or prevent attachments, (B) payment of a certain amount
353 will guarantee satisfaction of a certain amount or range of
354 indebtedness, or (C) participation in a program will or may prevent
355 litigation, garnishment, attachment, repossession, foreclosure, eviction
356 or loss of employment;

357 (7) Employ an unfair, unconscionable or deceptive act or practice,
358 including the knowing omission of any material information;

359 (8) Advertise, display, distribute, broadcast or televise or permit to
360 be advertised, displayed, distributed, broadcast or televised the
361 licensee's services, rates or terms in any manner by which any false,
362 misleading or deceptive statement or representation is made with
363 regard to the services to be performed by the licensee or the charges to

364 be made for such services;

365 (9) Lend money or provide credit to the individual, other than
366 through a separate affiliate holding an appropriate lending license,
367 except as a deferral of a settlement fee at no additional expense to the
368 individual;

369 (10) Purchase from a creditor any obligation of a debtor;

370 (11) Operate as a collection agent and as a licensee with regard to
371 the same debtor's account;

372 (12) Permit any contract or agreement to be signed by the debtor
373 unless the contract or agreement is fully and completely filled in;

374 (13) Obtain a mortgage or other security interest from any person in
375 connection with the services provided to the debtor;

376 (14) Provide the debtor less than the full benefit of a compromise of
377 a debt arranged by the provider, except for fees charged for services as
378 specified in the written agreement;

379 (15) Advise individuals to stop payment on any of the accounts
380 being handled by the provider;

381 (16) Except as permitted by federal law, disclose the identity or
382 identifying information of the debtor or the identity of the debtor's
383 creditors, except (A) to the commissioner, upon proper demand, (B) to
384 a creditor of such debtor to the extent necessary to secure the
385 cooperation of the creditor in a program, (C) to the extent necessary to
386 administer the program, or (D) as authorized by such debtor; or

387 (17) Falsely represent that it is a not-for-profit entity or not-for-profit
388 credit counselor that will provide stand-alone credit counseling
389 services.

390 Sec. 10. (NEW) (*Effective October 1, 2010*) (a) A debt services provider
391 shall not directly or indirectly impose a fee or other charge on an

392 individual or receive money from or on behalf of an individual for
393 debt settlement services, except as permitted by this section.

394 (b) Fees for debt settlement services shall not exceed the following:

395 (1) The lesser of four hundred dollars or four per cent of the debt
396 listed in the debt settlement services plan at the inception of such plan
397 for the following services, which include, but are not limited to: (A)
398 Consultation, (B) obtaining a credit report, and (C) setting up an
399 account; and

400 (2) Ten dollars for a monthly service fee for each creditor remaining
401 at the time such fee is assessed.

402 (c) With respect to an agreement that provides for a flat fee based on
403 the overall amount of included debt, the total aggregate amount of fees
404 charged to any individual pursuant to chapter 669 of the general
405 statutes, including fees charged pursuant to subdivisions (1) and (2) of
406 this subsection, shall not exceed seventeen per cent of the principal
407 amount of debt included in the agreement at the inception of the
408 agreement. The flat fee authorized under this section shall be assessed
409 in equal monthly payments over the course of at least half the length of
410 the debt services plan, as estimated at such plan's inception, unless the
411 payment of fees is voluntarily accelerated by the individual in a
412 separate record and at least half of the overall amount of outstanding
413 debt covered by the agreement has been settled.

414 (d) With respect to agreements in which fees are calculated as a
415 percentage of the amount saved by an individual, a settlement fee shall
416 not exceed thirty per cent of the excess of the outstanding amount of
417 each debt over the amount actually paid to the creditor, as calculated
418 at the time of settlement. Settlement fees authorized pursuant to this
419 subsection shall become billable only as debts are settled and the total
420 aggregate amount of fees charged to any individual under part II of
421 chapter 669 of the general statutes, including fees charged under this
422 subsection, may not exceed twenty per cent of the principal amount of

423 debt included in the agreement at such agreement's inception.

424 (e) A debt services provider may not impose or receive fees under
425 both subsections (c) and (d) of this section.

426 Sec. 11. (NEW) (*Effective October 1, 2010*) (a) Any person who
427 engages in debt settlement services without a license as required
428 pursuant to sections 2 to 10, inclusive, of this act shall be fined not
429 more than one thousand dollars or imprisoned not more than one year,
430 or both, for each violation. Each day on which a person engages in
431 debt settlement services without a license as required by said sections
432 shall constitute a separate violation.

433 (b) Any person who violates any other provision of sections 2 to 10,
434 inclusive, of this act shall be fined not more than one thousand dollars
435 for the first offense and, for each subsequent offense, shall be fined not
436 more than one thousand dollars and imprisoned not less than thirty
437 days, but not more than one year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	36a-671(a)
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	New section
Sec. 4	<i>October 1, 2010</i>	New section
Sec. 5	<i>October 1, 2010</i>	New section
Sec. 6	<i>October 1, 2010</i>	New section
Sec. 7	<i>October 1, 2010</i>	New section
Sec. 8	<i>October 1, 2010</i>	New section
Sec. 9	<i>October 1, 2010</i>	New section
Sec. 10	<i>October 1, 2010</i>	New section
Sec. 11	<i>October 1, 2010</i>	New section

Statement of Purpose:

To require individuals or entities providing debt settlement services in this state to be licensed, meet certain surety bond, surety bond substitute or insurance policy requirements and comply with various requirements with regard to the debt settlement services provided.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]